

REMARKS

Objections to the Claims:

Claims 2, 3, 16, and 16 have been cancelled as recommended by the Examiner.

Double Patenting:

Claims 1-10 and 14-22 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 5-8 of U.S. Patent No. 6,379,966. Applicants have filed, with this amendment, a terminal disclaimer to obviate the rejection.

Rejection of the Claims under 35 USC 102:

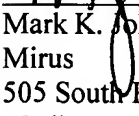
Claims 11-13 have been rejected under 35 U.S.C. 102 as being anticipated by Simoes et al. and by Birchall et al. Applicants have cancelled claims 11-13.

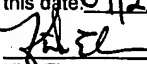
Rejection of the Claims under 35 USC 112:

Claims 2, 3 and 16-20 have been rejected under 35 U.S.C. 112 as being indefinite. Applicants have cancelled the indefinite claims 2, 3, 16, and 17. Claim 18 has been amended to depend from independent claim 14.

The Examiner's objections and rejections are now believed to be overcome by this response to the Office Action. In view of Applicants' amendment and arguments, it is submitted that claims 1, 3-10 14, 15 and 18-22 should be allowable. Applicants respectfully request a timely Notice of Allowance be issued in the case.

Respectfully submitted,


Mark K. Johnson Reg. No. 35,909
Mirus
505 South Rosa Road
Madison, WI 53719
608-238-4400

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as express mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date 09/23/2004.

Kirk Ekena